

PROB 12C
(7/93)

Report Date: March 18, 2014

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAR 19 2014

BEAN F. McAVOY, CLERK
DEPUTY
VAKBA, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Marvin L. Tate

Case Number: 0980 2:07CR06032-001

Address of Offender: [REDACTED] Pasco, Washington 99301

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: 3/13/2008

Original Offense: Possession of Controlled Substance With Intent to Distribute, 21 U.S.C. § 841(a)(1)

Original Sentence: Prison - 60 months
TSR - 48 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Joseph H. Harrington

Date Supervision Commenced: December 27, 2013

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: October 26, 2015

PETITIONING THE COURT**To issue a summons.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number **Nature of Noncompliance**

- 1 **Special Condition # 19:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Marvin Tate is considered in violation of his supervised release by using a controlled substance, marijuana, on or about January 6, 2014; January 13, 2014; February 10, 2014; and March 14, 2014.

Mr. Tate was set up for random drug testing at First Step Community Counseling Services (FSCCS). He submitted a random drug test on January 9, 2014, which was presumptive positive for marijuana. He admitted using marijuana on or about January 6, 2014.

Mr. Tate submitted a drug test at the U.S. Probation office on January 15, 2014. The drug test was presumptive positive for marijuana, and he admitted he used marijuana 2 days prior on January 13, 2014. The sample was submitted to Alere Laboratory and was confirmed positive for marijuana.

Prob12C

Re: Tate, Marvin L.

March 18, 2014

Page 2

Mr. Tate submitted drug tests at FSCCS on January 17 and 27, 2014, which were both presumptive positive for marijuana. The defendant admitted on both occasions that he had used on approximately January 6, 2014.

Mr. Tate submitted drug tests at FSCCS on February 13 and 18, 2014, which were both presumptive positive for marijuana. He admitted he had used on or about February 10, 2014. Both samples were sent to Alere Laboratory and confirmed positive for marijuana.

Mr. Tate submitted a drug test at FSCCS on March 14, 2014, which was presumptive positive for marijuana. The defendant admitted he had used marijuana about 3 weeks prior, which would be approximately between February 23 to 28, 2014.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 03/18/2014

s/SanJuanita B. Coronado

SanJuanita B. Coronado
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

3/19/14

Date